

EXHIBIT G



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Silver Spring, MD 20910

March 1, 2019

Mr. Nick Fromherz
Sea Shepherd Legal
2226 Eastlake Avenue East No. 108
Seattle, WA 98102

Re: FOIA Request DOC-NOAA-2019-000461

Dear Mr. Fromherz:

This letter is to acknowledge receipt of your Freedom of Information Act (FOIA) request.

Your request was received by our office on January 28, 2019. Your request tracking number is **DOC-NOAA-2019-000461**. You requested:

- All records relating to NMFS' analysis and final decision to list the Maui dolphin as endangered under the Endangered Species Act ("ESA").¹ This request includes records relating to NMFS' determination that "Maui dolphins continue to face threats of bycatch"² and that it is "unlikely that this subspecies will recover unless sources of anthropogenic mortality are eliminated,"³ as well as NMFS' "consideration of protective efforts" implemented by New Zealand.⁴
- All records relating to NMFS' analysis of bycatch of, or other interactions with, Maui dolphins by the New Zealand fisheries identified in the 2018 Final List of Foreign Fisheries.⁵
- All records related to NMFS' communications with New Zealand authorities in connection with NMFS' preparation of, and since publication of, its Notice of Availability of the 2018 Final List of Foreign Fisheries,⁶ including all documents related to:
 - (a). the statement that New Zealand has "high levels of documented marine mammal bycatch" for "all gear types, especially trawl";⁷
 - (b). the statement that New Zealand has "currently calculated a bycatch limit" for marine mammals;⁸
 - (c). the conclusion that New Zealand's risk of marine mammal bycatch is "Average/High,"⁹ and the data upon which that conclusion is based;
 - (d). New Zealand's preparation of a "PBR-like approach";¹⁰ and
 - (e). New Zealand's request to "aggregate all New Zealand fisheries into a single assessment, including those not currently exporting to the United States."¹¹



- All records relating to NMFS' analysis or consideration of the application of the Fish and Fish Product Import Provisions of the Marine Mammal Protection Act ("MMPA")¹² to New Zealand fisheries interacting with the Maui dolphin. This includes analysis or consideration of whether New Zealand export fisheries interacting with the Maui dolphin are or may be eligible for a "comparability finding" as that term is used in 50 C.F.R. § 216.24.

Pursuant to the FOIA fee schedule cited at <http://www.osec.doc.gov/omo/FOIA/foiarequest.htm>, 15 CFR §4.11, we determined that you are classified category "**Other**" and you will be charged according to that fee structure. We have noted your willingness to pay \$0.00 for these responsive records.

15 C.F.R. § 4.6(c) allows an agency to extend the FOIA response deadline by ten business days for unusual circumstances. Due to the need to search for and collect the requested records from field facilities or other establishments separate from the office processing the request, we are choosing to invoke this 10 day extension.

Please contact us if you are interested in narrowing the scope of your request to help expedite its processing. If you have questions regarding your request, please contact Cheyenne Johnson at nmfs.hq.pr.foia@noaa.gov or call 301-427-8421.

Sincerely,

//s//

Tawand Tonic, OPR FOIA
Office of Protected Resources